

MESSAGE NO: 2025302 MESSAGE DATE: 01/25/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 71 FR 47169 FR CITE DATE: 08/16/2006

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: 08/16/2006 COURT CASE #:

PERIOD OF REVIEW: 12/01/2004 TO 11/30/2005

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: RESCISSION OF REV OF CERTAIN CASED PENCILS FROM CHINA FOR TIANJIN CUSTOM WOOD PROCESSING CO., LTD., (A-570-827-011)) (12/01/2004-11/30/2005)

1. ON 08/16/2006, COMMERCE RESCINDED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-570-827) COVERING THE PERIOD 12/01/2004 THROUGH 11/30/2005 WITH RESPECT TO THE FIRM LISTED BELOW (SEE 71 FR 47169). YOU ARE TO ASSESS ANTIDUMPING/COUNTERVAILING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2004 THROUGH 11/30/2005 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM:

TIANJIN CUSTOM WOOD PROCESSING CO., LTD.
A-570-827-011

2. THE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF PARTIAL RESCISSION OF ANTIDUMPING DUTY ADMINISTRATIVE REVIEW IN THE FEDERAL REGISTER ON 08/16/2006 (71 FR 47169). FOR ALL OTHER SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PRC YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON

UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING AND/OR COUNTERVAILING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES. IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY CU:JD).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-827-011		E		TIANJIN CUSTOM WOOD PROCESSING CO., LTD.
A-570-827-011		M		TIANJIN CUSTOM WOOD PROCESSING CO., LTD.